

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 IO-13 DHA-05 AID-05 /084 W

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P 282005Z OCT 77

FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC PRIORITY 5467

INFO AMEMBASSY BRASILIA PRIORITY

AMCONSUL SAO PAULO PRIORITY

LIMITED OFFICIAL USE SECTION 1 OF 2 RIO DE JANEIRO 5137

E.O. 11652: N/A

TAGS: PINT, SHUM, BR

SUBJECT: POLITICAL PRISONERS ACCUSE ARMY OF TORTURE

REF: BRASILIA 7743: RIO DE JANEIRO 3712

1. SUMMARY. AS THE TRIAL OF THOSE PERSONS ACCUSED OF MEMBERSHIP IN A PRO-MARXIST ORGANIZATION IN RIO DE JANEIRO BEGAN, CHARGES OF TORTURE BY A FIRST ARMY UNIT HAVE AGAIN SURFACED-- WITH EXTENSIVE PRESS TREATMENT, AND STATEMENTS FROM MEMBERS OF CONGRESS, THE PRESIDENT'S PRESS SPOKESMAN AND BOTH THE FIRST AND SECOND ARMIES. FURTHER CHARGES WILL PROBABLY BE DETAILED AS THE TRIAL CONTINUES. END SUMMARY:

2. REFTELS REPORTED LATE JULY ARREST IN RIO DE JANEIRO OF 26 PERSONS FOR PARTICIPATION IN SUBVERSIVE ORGANIZATION CALLED MOVEMENT FOR THE EMANCIPATION OF THE PROLETARIAT (MEP) AND SUBSEQUENT ALLEGATIONS BY THEIR LAWYERS THAT MOST HAD UNDERGONE TORTURE WHILE QUESTIONED BY RIO ARMY INTELLIGENCE AUTHORITIES. FOUR OF THOSE ARRESTED WERE RELEASED IN AUGUST FOR LACK OF EVIDENCE WHILE SEVEN WERE
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FREED AS "NOT USEFUL TO THE INVESTIGATION", ACCORDING TO PRESS REPORTS. OF THE FIFTEEN CURRENTLY BEING PROSECUTED, THIRTEEN HAVE BEEN HELD UNDER PREVENTATIVE DETENTION SINCE THEIR ARRESTS. TWO, INCLUDING THE NEPHEW OF JUSTICE MINISTER ARMANDO FALCAO, ARE NOT CURRENTLY UNDER DETENTION.

3. ON THE EVE OF THE BEGINNING OF FORMAL JUDICIAL PRO-

CEEDINGS BEFORE AN AIR FORCE TRIBUNAL IN RIO DE JANEIRO, AN OPEN LETTER FROM THE THIRTEEN DETAINEES WAS PUBLISHED IN FULL TEXT IN RIO'S JORNAL DO BRASIL AND WAS REPORTED IN SUMMARY IN SAO PAULO'S O ESTADO. THE LETTER WAS RELEASED TO THE PRESS BY PARENTS OF THE ACCUSED AND WAS ALSO SENT TO LEADING LIBERAL AND HUMAN RIGHTS GROUPS AND INDIVIDUALS: THE BRAZILIAN BAR ASSOCIATION (OAB), NATIONAL CONFERENCE OF BISHOPS, BRAZILIAN PRESS ASSOCIATION, RIO'S CARDINAL SALLES AND THE JUSTICE AND PEACE COMMISSION. THE LENGTHY DENUNCIATION RECITES INDIVIDUAL INCIDENTS OF TORTURE INFLICTED DURING A TEN DAY PERIOD WHILE THE PRISONERS WERE HELD INCOMMUNICADO BY THE POLITICAL AND SOCIAL POLICE BUT WERE, IN FACT, FREQUENTLY IN THE CUSTODY AND CONFINES OF DOI-CODI ARMY ANTI-SUBVERSIVE UNIT. BOTH PHYSICAL AND PSYCHOLOGICAL ABUSES WERE DESCRIBED IN CONSIDERABLE DETAIL TO INCLUDE THREATS AGAINST FAMILY MEMBERS.

4. THE AIR FORCE COURT OPENED ITS PROCEEDINGS OCTOBER 27 WHEN THREE OF THE ACCUSED GAVE DEPOSITIONS CONCERNING TORTURE AND FORCED CONFESSIONS (THE LATTER WERE RECANTED). ON OCTOBER 28 THE RIO PRESS PUBLISHED EXTENSIVE EXTRACTS FROM THEIR STATEMENTS. PRESUMABLY, ORAL STATEMENTS FROM THE OTHER ACCUSED WILL FOLLOW.

5. REACTION TO THE ACCUSATIONS, MUCH MORE DETAILED THAN WHEN THEY WERE FIRST MADE IN AUGUST, HAS BEEN SWIFT IN LIMITED OFFICIAL USE

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COMING FROM BOTH THE GOVERNMENT AND THE POLITICAL OPPOSITION. WHILE THE PRESIDENT'S PRESS SPOKESMAN, COLONEL TOLEDO CAMARGO, WAS REAFFIRMING OCTOBER 26 THAT THERE WERE NO POLITICAL PRISONERS IN BRAZIL--"IN TRUTH THEY HAVE COMMITTED CRIMES FOR POLITICAL CAUSES, BUT THEY HAVE ASSAULTED, KIDNAPPED AND KILLED TO SEIZE RESOURCES FOR A SUBVERSIVE ORGANIZATION," (AN ASSERTATION WHICH HAS BEEN RIDICULED AND CHALLENGED BY THE PRESS AND MDB DEPUTIES), HE TOLD THE PRESS FOLLOWING PUBLICATION OF THE TORTURE CHARGES THAT THE CHARGES WERE "IMPRESSIVE AND SERIOUS". WAS REPORTED TO HAVE STATED THAT "THE AUTHORITIES CONNECTED TO THE MATTER ARE ATTENTIVE AND WILL TAKE, AT THEIR LEVELS OF RESPONSIBILITY, THE STEPS WHICH PERHAPS WILL COME TO BE NECESSARY". FOLLOWING MDB SENATE LEADER FRANCO MONTORO'S REQUEST THAT THE PRISONERS' COLLECTIVE LETTER BE MADE A PART OF THE OFFICIAL SENATE RECORDS AND THAT THE MINISTER OF JUSTICE TAKE APPROPRIATE ACTION TO ASCERTAIN THE FACTS, ARENA LEADER EURICO REZENDE REPLIED THAT GOVERNMENT AUTHORITIES ARE ALREADY UNDERTAKING NECESSARY INVESTIGATIONS AND CERTAINLY CLARIFICATIONS WILL BE MADE TO THE NATION. REZENDE EMPHASIZED THAT PRESIDENT GEISEL'S GOVERNMENT NOT ONLY PUNISHES THOSE GUILTY OF SUCH

CRIMES AS DESCRIBED, BUT IS ALSO VIGILANT THAT TORTURE CEASE. HE ALSO STATED THAT, ALTHOUGH THE GEISEL REGIME IS "VISCERALLY" AGAINST SUCH HAPPENINGS, NO GOVERNMENT CAN COMPLETELY SUPPRESS INCIDENTS OF VIOLENCE IN POLICE INVESTIGATIONS. MDB CAMARA LEADER FREITAS NOBRE ALSO COMMENTED ON THE DENUNCIATIONS PRAISING THE ROLE OF THE PRESS IN DIVULGING CASES OF ABUSE BY POLICE AND INTELLIGENCE OFFICIALS. ARENA CAMARA LEADER JOSE BONIFACIO, WHILE INDICATING THAT HE PERSONALLY DID NOT CREDIT THE ALLEGATIONS, STATED THAT AS SOON AS INFORMATION CONCERNING TORTURE REACHES THE JUSTICE MINISTRY, APPROPRIATE ACTION IS TAKEN. OTHER MDB DEPUTIES ALSO TOOK PART IN THE DEBATE.

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6. FOR ITS PART, THE OAB RECALLED THAT IT HAD INFORMED THE JUSTICE MINISTER ABOUT THE MEP TORTURE ALLEGATIONS IN AUGUST WHEN THEY WERE FIRST BROUGHT TO THE OAB'S ATTENTION BY DEFENSE ATTORNEYS. THE RIO BRANCH OF THE OAB LATER ISSUED A NOTE IN WHICH IT WAS STATED THAT THE NATION WITNESSES, IS APPALLED AND IS TIRED OF THE IMPUNITY OF TORTURERS AND THE DEPRIVATION OF THE TORTURED. THE NOTE CONCLUDED THAT THE OAB "WILL CONTINUE TO DENOUNCE VIOLATIONS OF HUMAN RIGHTS AND TO APPEAL TO WHOMEVER CAN PUT AN END TO THIS SITUATION."

7. ACCORDING TO PRESS REPORTS DATED IN BRASILIA, NEWLY APPOINTED ARMY MINISTER, GENERAL BELFORT BETHLEM, SAID OCTOBER 27 THAT HE WOULD BE IN TOUCH WITH THE FIRST AND SECOND ARMY COMMANDERS CONCERNING THE TORTURE WHICH HAS ALLEGEDLY TAKEN PLACE IN ARMY INTELLIGENCE UNITS IN RIO AND SAO PAULO. 'JORNAL DO BRASIL' REPORTED THAT GENERAL

BETHLEM LUNCED THAT DAY WITH FIRST ARMY COMMANDER PINTO RABELLO IN AN ATMOSPHERE OF "UNEASINESS" CAUSED BY THE MEP CASE. THE PRESS PUBLISHED PRESS RELEASES FROM BOTH ARMIES ON OCTOBER 28. THE FIRST ARMY NOTE RECALLED THAT A NOTE HAD EARLIER BEEN ISSUED IN AUGUST WHEN THE TORTURE CHARGES FIRST SURFACED. THE OCTOBER NOTE REAFFIRMED THAT THE LIMITED OFFICIAL USE

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SECURITY ORGANIZATIONS OF THE FIRST ARMY HAVE FOLLOWED AND, WHEN NECESSARY, ACTED WITH OTHER SECURITY ORGANIZATIONS IN MATTERS OF INTERNAL SECURITY. THE NOTE EMPHASIZED THAT FIRST ARMY ACTIONS HAVE BEEN STRICTLY LEGAL AND NOTED THAT THE CURRENT CASE IS SUB JUDICE. THE SECOND ARMY NOTE DENIED THAT A WOMAN PRISONER, TRANSFERRED FROM RIO TO SAO PAULO DOI-CDOI FOR A BRIEF PERIOD, WAS GIVEN ELECTRICAL SHOCKS.

8. THE CURRENT FOCUS ON TORTURE CHARGES FOLLOWS SHORTLY AFTER A STRONG PUBLIC DENUNCIATION OF TORTURE BY SUPREME MILITARY TRIBUNAL (STM) MINISTER ADMIRAL SA BIERENBACK IN DISMISSING PROCEEDINGS UNDER THE NATIONAL SECURITY LAW OF A NON-POLITICAL BANK ROBBER WHO THE COURT FOUND HAD BEEN SEVERELY TORTURED TO OBTAIN A CONFESSION WHILE IMPRISONED BY CIVIL AUTHORITIES IN RIO DE JANEIRO. THE MINISTER STATED, INTER ALIA, "IT IS ALREADY TIME TO STOP ONCE AND FOR ALL THE METHODS ADOPTED BY CERTAIN SECTORS OF THE POLICE OF FABRICATING DEFENDENTS, OF EXTRACTING STATEMENTS FROM THEM PERVERSLY BY THE MOST BASE MEANS, OF MAKING THEM APPEAR GUILTY OF CRIMES WHICH THEY HAVE NOT COMMITTED, AND OF FORCING THEM TO SIGN DECLARATIONS WHICH THEY HAVE NOT MADE." THE MINISTER STATED THAT HE KNEW THE PRESIDENT AND GENERAL OFFICERS OF THE ARMED FORCES DEPLORED SUCH ACTIONS BY THE POLICE WHICH, NEVERTHELESS, HAD BECOME ALMOST CUSTOMARY. HE COMMENTED THAT REPORTS OF POLICE BRUTALITY IN THE FOREIGN PRESS GAVE AN IMPRESSION THAT BRAZIL WAS COMPOSED OF A NATION OF SAVAGES.

9. COMMENT: THE MEP TRIAL WILL PROBABLY CONTINUE FOR SOME TIME AS IS CUSTOMARY IN NATIONAL SECURITY CASES.

10. THIS MESSAGE HAS BEEN COORDINATED WITH EMBASSY BRASILIA.
DEXTER

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Message Attributes

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